



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 9/26/2024

**File ID:** TMP-4658

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of Utility and Drainage Easements, Lot 8, Sunset on Green Mountain Subdivision

Ordinance No.

**Finance Information:**

**Account Number:** N/A

**City Cost Amount:** N/A

**Total Cost:** N/A

**Special Circumstances:**

**Grant Funded:** N/A

**Grant Title - CFDA or granting Agency:** N/A

**Resolution #:** N/A

**Location: (list below)**

**Address:** Lot 8, Sunset on Green Mountain Subdivision

**District:** District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

**Additional Comments:**

## **ORDINANCE NO. 24-**

**BE IT ORDAINED** by the City Council of the City of Huntsville, Alabama, as follows:

**Section 1.** The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting the vacation of a utility and drainage easements; that the applicants have represented to the City of Huntsville that **Diltina Development Corporation**, an Alabama Corporation, is the owner of the property across which said easements lie; that said easements, or the portions being vacated, are not presently used and are no longer needed for a public or municipal purpose.

**Section 2.** Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easements hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA     )  
COUNTY OF MADISON    )

## QUITCLAIM DEED

**KNOW ALL MEN BY THESE PRESENTS**, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **DILTINA DEVELOPMENT CORPORATION**, an Alabama Corporation, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

**SEE EXHIBITS A and B ATTACHED HERETO.**

**TO HAVE AND TO HOLD** unto the said grantee, its successors and assigns forever.

**IN WITNESS WHEREOF**, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its City Clerk, this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**CITY OF HUNTSVILLE, ALABAMA,**  
a municipal corporation

By: \_\_\_\_\_  
Tommy Battle, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Shaundrika Edwards  
City Clerk

STATE OF ALABAMA     )  
COUNTY OF MADISON    )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Shaundrika Edwards, whose names as Mayor and City Clerk, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT PREPARED BY:  
2 The Point, Inc.  
8624 Memorial Parkway SW  
Huntsville, AL 35802  
256.539.9426

**EXHIBIT A**

STATE OF ALABAMA     )  
MADISON COUNTY     )

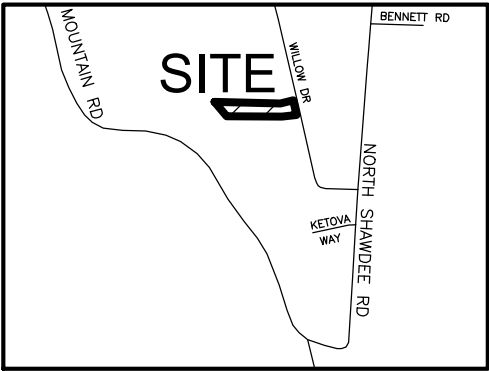
**PUBLIC UTILITY AND DRAINAGE EASEMENT (PUDE) VACATION (VARYING WIDTH)**

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERNMOST CORNER OF LOT 8 OF THE FINAL PLAT OF “SUNSET ON GREEN MOUNTAIN PHASE 4” AS RECORDED IN PLAT BOOK 2024 PAGE 160, IN THE OFFICE OF THE JUDGE OF PROBATE OFFICE OF MADISON COUNTY, ALABAMA; THENCE NORTH 70 DEGREES 53 MINUTES 41 SECONDS WEST, 11.78 FEET TO THE POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,500,381.89', EAST: 450,313.76';

THENCE SOUTH 83 DEGREES 15 MINUTES 21 SECONDS WEST, 89.05 FEET TO A POINT;  
THENCE NORTH 89 DEGREES 45 MINUTES 30 SECONDS WEST, 370.00 FEET TO A POINT;  
THENCE NORTH 40 DEGREES 23 MINUTES 14 SECONDS WEST, 0.08 FEET TO A POINT;  
THENCE NORTH 88 DEGREES 46 MINUTES 56 SECONDS EAST, 458.38 FEET TO A POINT;  
THENCE SOUTH 12 DEGREES 49 MINUTES 10 SECONDS EAST, 0.93 FEET TO THE POINT OF BEGINNING.

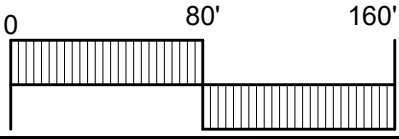
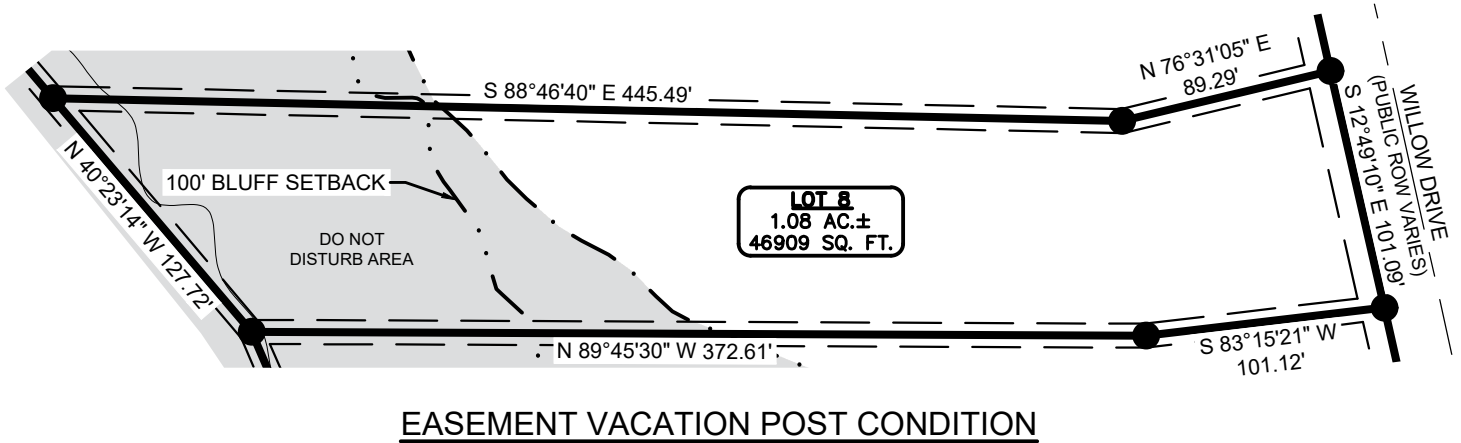
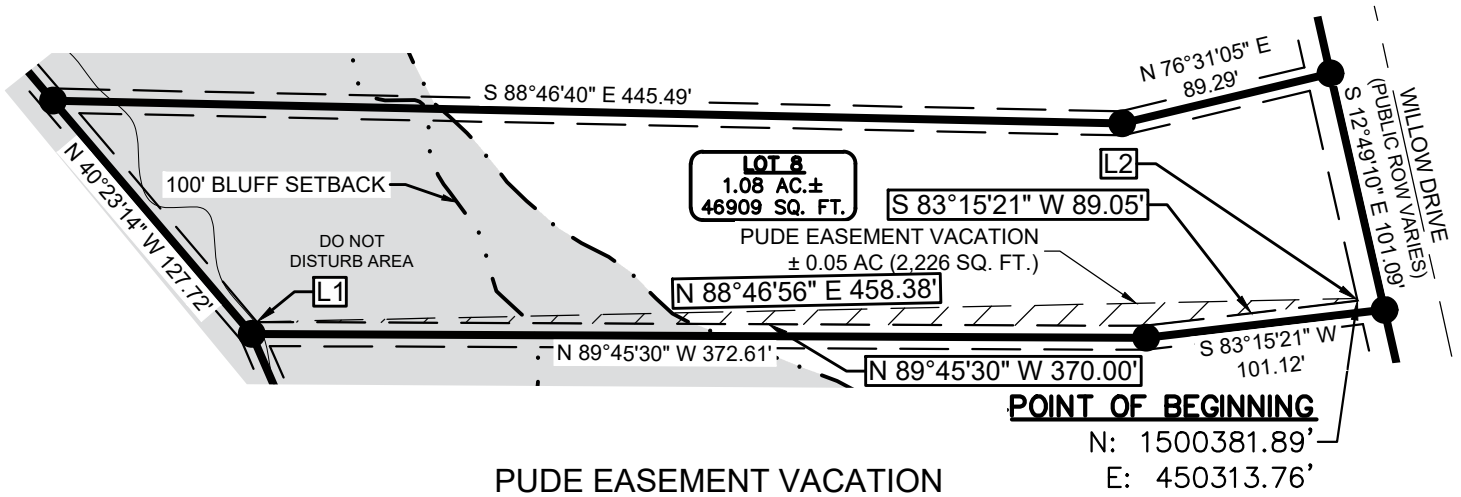
CONTAINING 0.05 ACRES (2,226 SQUARE FEET), MORE OR LESS.



VICINITY MAP  
(NOT TO SCALE)

EXHIBIT B

LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	N 40°23'14" W	0.08'
L2	S 12°49'10" E	0.93'



DRAWN BY: JCB	PUDE EASEMENT VACATION EXHIBIT	
FIELD CREW: BJ	<b>LOT 8 EASEMENT VACATION</b>	
FIELD DATE: 03.18.24	SUNSET ON GREEN MOUNTAIN PHASE 4	
OFFICE DATE: 08.15.24	(PLAT BOOK 2024 PAGE 160)	
CHECKED BY: ASM	SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST	
SHEET: 1 OF 1		
JOB NO: 21.247		

**ORDINANCE NO. 24- (Cont'd)**

**ADOPTED** this the 26th day of September 2024.

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President of the City Council of  
the City of Huntsville, Alabama

**APPROVED** this the 26th day of September 2024.

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Mayor of the City of Huntsville,  
Alabama